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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 SCOTT C. SMITH,

9 Plaintiff,

10 v.

11 B. ZAVODNY, et al.,

12 Defendants.
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CASE NO. C10-5188BHS

ORDER GRANTING
DEFENDANTS' MOTION FOR
EXTENSION OF TIME

14 This matter comes before the Court on Defendants B. Zavodny and Clifford J.
15 Johnson's (collectively "Defendants") motion for extension of time to file dispositive
16 motion regarding qualified immunity (Dkt. 94). The Court has considered the pleadings
17 filed in support of and in opposition to the motion and the remainder of the file and
18 hereby grants the motion for the reasons stated herein.

19 On February 16, 2012, Defendants filed a motion for extension of time to file a
20 dispositive motion regarding qualified immunity. Dkt. 94. On February 23, 2012,
21 Plaintiff Scott C. Smith ("Smith") responded to the motion (Dkt. 96) and on February 24,
22 2012, Defendants replied (Dkt. 95).

1 Defendants seek an extension of time in order to file a dispositive motion based on
2 qualified immunity. Defendants have failed to show good cause as to why they have not
3 complied with the Court's scheduling order in filing their dispositive motion. However,
4 qualified immunity is a question of law that must be decided by the Court and the Court
5 concludes that allowing Defendants to file their dispositive motion now, rather than
6 bringing up the issue in a motion in limine, will preserve Court resources and promote
7 judicial economy.

8 Therefore, the Court hereby **ORDERS** that Defendants' motion for extension of
9 time (Dkt. 94) is **GRANTED** and Defendants' dispositive motion regarding qualified
10 immunity will be filed on or before **March 15, 2012**.

11 Dated this 6th day of March, 2012.

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14 BENJAMIN H. SETTLE
15 United States District Judge
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